

AN ORDINANCE **2006-05-18-0590**

AUTHORIZING A NO COST AMENDMENT TO AN AGREEMENT WITH, AND AS REQUIRED BY, THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE PROCEDURAL CHANGES ALLOWING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT CONTINUED ON LINE ACCESS TO BIRTH RECORDS FOR A PERIOD ENDING AUGUST 31, 2006.

* * * * *

WHEREAS, the San Antonio Metropolitan Health District (SAMHD) issues certified copies of birth certificates to qualified applicants; and

WHEREAS, for many years this service was available to only those individuals born in Bexar County, however, in 1997 the Texas Department of Health offered all State Registrars on-line access to its database of birth records; and

WHEREAS, through an ordinance passed on November 6, 1997, the City contracted with the State to obtain this access for the SAMHD, which meant that the SAMHD could provide a birth certificate to anyone born in the State of Texas; and

WHEREAS, the Texas Department of Health now desires to amend its contact with the City of San Antonio changing the name of the contracting agency from the Texas Department of Health to the Texas Department of State Health Services, changing the contractor's name from the SAMHD to the City of San Antonio, allowing credit for allowable records and other procedural changes; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or her designee is authorized to execute a no cost amendment to an agreement with, and as required by, the Texas Department of State Health Services to provide procedural changes allowing the San Antonio Metropolitan Health District continued on line access to birth records for a period ending August 31, 2006. A copy of said amendment is attached hereto and incorporated herein for all purposes as Attachment I.

SECTION 2. Payment of \$1.83 is authorized to the Texas Department of State Health Services, formerly the Texas Department of Health, for each certification of vial record printed as a result of searches of the database from Fund 11001000, Fund Center 3602010000, GL Account No. 5202020. Said sum is authorized to be paid from said fund on a fee for service basis.

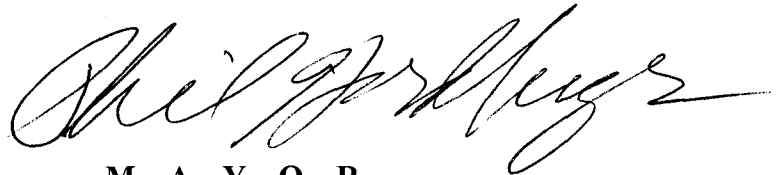
SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers,

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05/18/06
Item # 22

SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

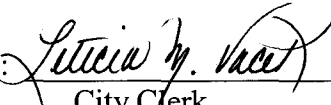
SECTION 4. This ordinance shall be effective on and after May 28, 2006.

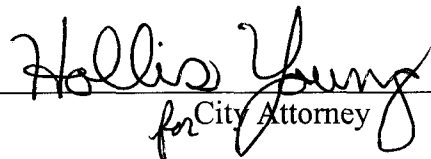
PASSED AND APPROVED this 18th day of May, 2006.



M A Y O R

PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

STATE OF TEXAS §

COUNTY OF TRAVIS §

AMENDMENT NO. 1

DSHS Document No. 501501501C* OEU-01A

It is mutually agreed by and between the contracting parties to amend the conditions of Document No. 501501501C* OEU-01_ as written below. All other conditions not hereby amended are to remain in full force and effect.

Texas Department of Health (TDH) is replaced with Department of State Health Services (DSHS) throughout the entire contract.

San Antonio Metropolitan Health District is replaced with City of San Antonio throughout the entire contract.

SECTION II. TERM is replaced with the following:

The term of this contract will begin upon its execution by both parties and will continue in force and effect until August 31, 2006.

SECTION III. COMPENSATION is revised to include the following:

RECEIVING AGENCY agrees to charge the same base search fee for a birth certificate as the PERFORMING AGENCY. Additional fees may only be charged as authorized by Texas Health and Safety Code 191.

SECTION V. SECURITY is revised to include the following:

PERFORMING AGENCY will inactivate any individual who does not use their account for ninety (90) days. RECEIVING AGENCY shall notify PERFORMING AGENCY of all branch locations.

SECTION XI. VOIDED RECORDS

PERFORMING AGENCY will handle credit requests for voided records due to mistakes or errors on a case-by-case basis. Credit requests may be considered in those cases of emergency situations, i.e., equipment and systems failure or inclement weather. RECEIVING AGENCY shall submit these requests in writing along with pertinent documentation to provide a justification to the State Registrar and/or designee for approval. PERFORMING AGENCY will provide written documentation to the RECEIVING AGENCY on the status of the approval of credit requests.

RECEIVING AGENCY must notify PERFORMING AGENCY'S Security Manager in writing to clear voided records from the remote access system's customer lifetime counts.

In witness whereof, the parties hereto have caused this contract amendment to be executed in duplicate originals, by their duly authorized representatives.

DEPARTMENT OF STATE HEALTH
SERVICES

CITY OF SAN ANTONIO

By: _____
Bob Burnette, Director
Client Services Contracting Unit

By: _____

Name: _____

Date

Date

**CITY OF SAN ANTONIO
SAN ANTONIO METROPOLITAN HEALTH DISTRICT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Sheryl Sculley, City Manager
FROM: Fernando A. Guerra, MD, MPH, Director of Health
SUBJECT: DSHS Bureau of Vital Statistics
DATE: May 18, 2006

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the City Manager to execute an amendment and a new contract at the direction of the State. The amendment to the contract with the State of Texas which allows the San Antonio Metropolitan Health District (SAMHD) on-line access to birth records from the Texas Department of State Health Services (DSHS), Bureau of Vital Statistics. The contract amendment will change the name of the contracting agency from Texas Department of Health to Texas Department of State Health Services and terminate the contract effective March 31, 2006. The new contract will allow services from April 1, 2006 through August 31, 2006 and reflect a change in contractor name from San Antonio Metropolitan Health District to City of San Antonio.

Staff recommends approval.

BACKGROUND INFORMATION

SAMHD issues certified copies of birth certificates to qualified applicants. For many years this service was available to only those individuals born in Bexar County. However, in 1997 the Texas Department of Health offered all State Registrars on-line access to its database of birth records. Through an ordinance passed on November 6, 1997, the City contracted with the State to obtain this access for SAMHD. This meant that the Health District could provide a birth certificate to anyone born in the State of Texas. Currently, SAMHD and the Link Centers provide this service to qualified applicants. A fee of \$1.83 per record is paid by SAMHD to the State Comptroller from the \$23.00 sales price of the birth certificate.

The original contract was written between Texas Department of Health and San Antonio Metropolitan Health District. The amendment changes the contracting agency name from Texas Department of Health to Texas Department of State Health Services and establishes a termination date of March 31, 2006. The new contract will reflect the name change from San Antonio Metropolitan Health District to City of San Antonio as requested by the City Attorney's Office. Other notable changes in the new contract includes a section specifying services will be available from 7:00 AM to 6:00 PM, a section to protect client information which incorporates HIPAA requirements, a security provision to ensure authorized access, and a section allowing

Revisions done

DO NOT TYPE IN THIS SPACE		CITY OF SAN ANTONIO			
Request For Ordinance/Resolution					
Finance: <input type="checkbox"/> Budget: <input type="checkbox"/>		Consent <input type="checkbox"/> Individual <input type="checkbox"/>			
Legal: Monica Hernandez X7355		Item No. <u>22</u>			
		Ord. No.			
Date: May 2, 2005		Department: SAMHD		Contact Person/Phone #: Nichole Ledesma / 207-8689	
Date Council Consideration Requested: May 18, 2006		Deadline for Action: May 18, 2006		Dept. Head Signature <i>[Signature]</i>	
SUMMARY OF ORDINANCE					
<p>An Ordinance authorizing the execution of an amendment to a contract for access to birth records with the State of Texas to change the name from Texas Department of Health to the Texas Department of State Health Services and terminate the contract effective March 31, 2006; authorizing the execution of a new contract with the Texas Department of State Health Services to continue this service through August 31, 2006.</p> <p>[Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]</p> <p>Council Memorandum Must be Attached To Original</p> <p>Other Depts., Boards, Committees Involved (please specify): City Attorney's Office; Office of Management and Budget; Finance Department</p> <p>Contract signed by other party Yes No <input checked="" type="checkbox"/> X</p>					
FISCAL DATA (If Applicable)					
SAP Contract # 4600004487			Funds/Staffing Budgeted Yes <input type="checkbox"/> No <input type="checkbox"/> Positions Currently Authorized Yes <input type="checkbox"/> No <input type="checkbox"/> Impact on future O & M		
Amount Expended					
Fund 11001000	SAP GL Account				
Funds Center					
*Cost Center 3602010001			If positions added, specify Class and Job No.		
*Internal Order No.					
*SAP GL No. 5202020					
*WBS (Capital Proj.)					
*(Fill out only the field that is appropriate to your council action.)					
Comments:					
CONSENT AGENDA			Please submit 3 copies with your original		

#22